

# Bill 40

## Early Testimony

**MISC. COM. 457**

TO: COUNCIL MEMBERS OF THE CITY & COUNTY OF HONOLULU

FROM: ADRIAN HONG, PRESIDENT OF ISLAND PLASTIC BAGS, INC.

DATE: WEDNESDAY, AUGUST 7<sup>TH</sup>

RE: Bill 40 RELATING TO PLASTIC

POSITION: STRONGLY OPPOSE

Council Members;

Thank you for the opportunity to submit testimony in opposition of Bill 40. My name is Adrian Hong and I am president of Island Plastic Bags Inc., a second-generation, family business in Halawa Valley. If Bill 40 passes, it will have a negative impact on the health of consumers, disadvantage people with disabilities, cause unreasonable hardship for businesses, and be difficult to enforce.

Restaurants, bakeries, and other businesses that provide prepared food were exempted from previous bans because the use of single use, plastic bags for them is a sanitation issue. Take out containers often leak gravy, grease, and other liquids that paper bags are not designed to contain. Reusable bags are a problem because consumers don't wash them. If consumers use reusable bags for takeout food, it is likely that we will see a rise in food poisoning as reusable bags become contaminated by microbes. For more information about a study conducted on this matter, please click the following link:

<https://www.usatoday.com/story/news/nation/2014/01/06/reusable-grocery-bag-germs/4341739/>.

Banning plastic utensils and straws would greatly disadvantage people with disabilities and immune deficiencies. Some individuals are not able to drink from a glass like the rest of us do, either because they are afraid of getting sick due to their diminished immune systems or because they physically can't. We shouldn't make their lives harder by not providing simple, cost effective products that make their life better. Instead of outright banning plastic straws and utensils, I recommend restaurants be required to ask customers if they want straws and utensils instead of always handing them out. That would reduce costs for businesses, make it less likely straws and utensils will become litter, and allow people that need the products to have them.

As we all know, paper straws are not a viable substitute. After two minutes, you are drinking as much paper as you are water. It also makes no sense to switch consumers from plastic cutlery to compostable cutlery when there is no composting facility on Oahu that will accept compostable plastic. That is why the City & County of Honolulu banned compostable bags. Whether plastic or compostable, the cutlery is going to be burned at HPower.

The uncertainty caused by the City & County of Honolulu continually changing the regulations around plastic hurts my business and many other businesses. Every two years we have to change which products we manufacture and which products we stock. We continually have to inform our customers about what products they can use this year. This has caused a large loss in sales for Island Plastic Bags and makes it difficult for us to plan ahead. Do I manufacture locally or purchase from overseas? Do I

want to commit to bringing in new equipment to make a new product when it could be banned in two years? These types of concerns are not restricted to my business. Restaurant supply companies, restaurants, hotels, grocery stores, and other businesses continually have to change what they stock and who their vendors are. This takes away focus from other areas of their businesses.

Enforcement of this bill would also be difficult. How will the department enforce these new rules on thousands upon thousands of food establishments? It is difficult enough to enforce the current bag legislation on the grocery stores. Unless the City & County of Honolulu is prepared to give the department a huge budget increase to enforce this bill, I have trouble seeing how the current department's resources will be enough to educate consumers and businesses as well as enforce the regulations.

I recommend that Bill 40 proceed no further. The negative impacts of the legislation will not exceed the benefits of the legislation. I also recommend that the City & County of Honolulu wait till the plastic source reduction working group created by SB 522 concludes its work before introducing any further legislation on plastics. Useful recommendations about how to mitigate the negative impacts of plastics while keeping the benefits of plastics should come out of the work done at the working group. The City & County of Honolulu is already going to participate in the working group.

Thank you for your time and for your service.

Sincerely,

Adrian Hong



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Kelii Gouveia, Chairman – Duke's Waikiki      Tom Jones, Incoming Chair – Gyotaku  
Tammy Fukugawa, Vice Chair – TS Restaurant      Dirk Koeppenkastrup, Secretary – IL Gelato Hawaii  
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To: Chair Ikaika Anderson  
Vice Chair Ann Kobayashi  
Members of the Honolulu City Council

From: Victor Lim, Legislative Lead  
The Hawaii Restaurant Association

Subj: Bill 40 Relating to Plastic

Date: August 2, 2019

The Hawaii Restaurant Association representing over 3,600 restaurants here in Hawaii opposes Bill 40 relating to Plastics that specifically target our restaurant industry.

Our industry has been working for solutions that even competitors like Starbucks, McDonald's, Yum, Wendy's along with Coca Cola and Nestle have partnered together to fund Next Gen Cup Challenge with Closed Loop Partners to find the new type of cup and eliminate single-use plastic straws.

Earlier this year at our state legislature, SB522 dealing with Plastic, they recognized the complexity and has established within the Department of Health "a plastic source reduction working group" and Governor Ige has already signed it into law with ACT 254 (19). This working group shall formulate a plan for reducing and recovering plastic from the Hawaii waste stream, provide recommendations to encourage reuse, reduction, recycling, and recovery of waste and create value added products, etc.....

This working group shall submit its report and recommendations for pilot projects for Hawaii businesses ..... no later than twenty days prior to the convening of the regular legislative session of 2021.

On non plastic utensils that are much more expensive and yet still end up at the H Power shows that we need to tackle this issue comprehensively as ACT 254 (19) is trying to address. The Hawaii Restaurant Association has also support that Straws should be given out only upon request for sit in customers. We have also done public outreach and education to the general public with Malama 808 that promotes best practices for litter prevention.

Thank you for giving us this opportunity to share our industry's point of view.



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Toby Taniguchi, KTA Superstores, *Advisor*

TO:

City Council, City and County of Honolulu  
Ikaika Anderson, Chair and Presiding Officer  
Ann H. Kobayashi, Vice Chair

FROM: HAWAII FOOD INDUSTRY ASSOCIATION  
Lauren Zirbel, Executive Director

DATE: August 7, 2019  
TIME: 10am  
PLACE: Kapolei Hale

RE: Bill 40

Position: Comments

The Hawaii Food Industry Association is comprised of two hundred member companies representing retailers, suppliers, producers, and distributors of food and beverage related products in the State of Hawaii.

HFIA has concerns to the changes that this measure would make to the existing bag ban and the provision banning certain utensils. Bags to transport baked goods and prepared food were exempted from the bag ban because these items require transportation in bags that are sanitary and can contain moisture. Paper bags do not meet these requirements for certain products. Paper bags also require more energy and water to manufacture, and since they're heavier they require more energy per unit to ship.

Paper bags and non-plastic utensils are more expensive than the plastic versions, sometimes costing several times as much. Grocery stores operate at very narrow profit margins, often as low as 1 or 2%, and any added expense must be passed on to consumers.

In addition to being more expensive for businesses and consumers the alternatives to plastic utensils are also **not always available in the quantities that Oahu businesses need.** We're

concerned that businesses will not be able to find alternatives to comply with this measure and still meet the demands of their consumers.

Bans like this may reduce one kind of waste, but it is just replaced with a different kind. We believe that a more proactive and functional way for the County to reduce the total amount of waste generated would be through incentives.

Offering tax credits or other incentives for businesses that achieve True Zero Waste Certification<sup>1</sup> would create a strong motivation for Oahu businesses to vigorously reduce the amount of waste they generate.

Instead of leaving some businesses, especially small locally owned businesses, behind by raising prices, we could move forward together by creating a system where all businesses and the environment see real benefits.

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<sup>1</sup> <https://true.gbci.org/>

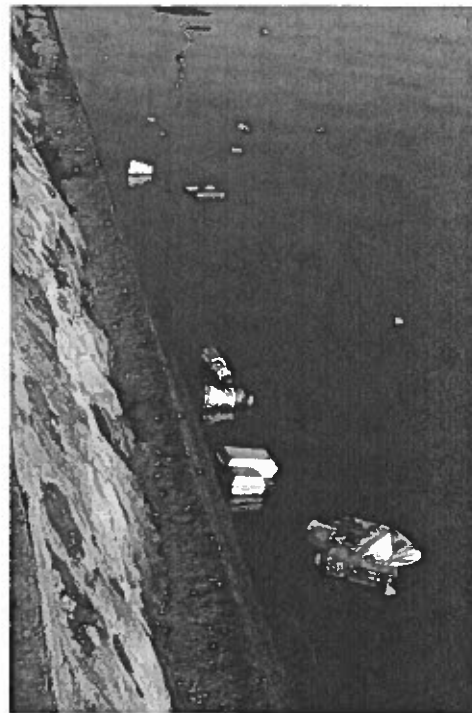
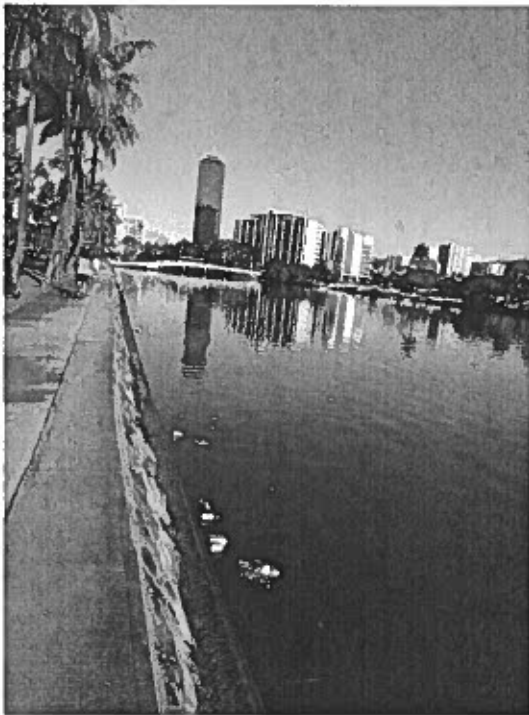
Mr. Kim Jorgensen  
225 Kaiulani Ave #1604  
Honolulu, HI 96815

August 5, 2019

Re: Bill 40 (2019)

Attn: Honolulu City Council

I strongly support Bill 40. Please look at a typical view and close-up of the Ala Wai Canal.



The amount of single-use polystyrene and plastic food service ware and bags floating in O'ahu's canals and waterfronts, laying on the ground in neighborhoods and along hiking trails, and flying around in the wind at beaches and parks is **staggering**.

The cumulative effect of years of ingesting chemicals leached into hot food after contact with polystyrene is **dangerous**. Protect your children and future generations now!

Please support Bill 40. Let's join the other cities and states and countries that have enacted such bans to protect humans, marine and wildlife, and the environment.

Sincerely,  
Kim Jorgensen

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**From:** CLK Council Info  
**Sent:** Tuesday, August 06, 2019 10:55 AM  
**Subject:** Public Safety and Welfare Speaker Registration/testimony

## Speaker Registration/Testimony

Name Dyson Chee  
Phone 8084627570  
Email cheedyson@gmail.com  
Meeting Date 08-07-2019  
Council/PH Committee PublicSafety  
Agenda Item Bill 40  
Your position on the matter Support  
Representing Self  
Organization  
Do you wish to speak at the hearing? No

Aloha Council Members Waters and Tsuneyoshi,

Written  
Testimony

My name is Dyson Chee and I am a 17-year-old high schooler living in Ala Moana. I am in support of Bill 40. I have always been an ocean person, and, in short period of time I have been alive, I have seen the changes on our beaches. I can no longer go to the beach and not expect to see some form of plastic rubbish, whether it be plastic straws, polystyrene containers, or single-use plastic water bottles. I strongly believe that Bill 40 will make a positive difference to reduce the amount of trash we consume and dispose here in Hawai'i.

Sincerely,  
Dyson Chee

Testimony  
Attachment

Accept Terms and Agreement 1





**TESTIMONY OF TINA YAMAKI  
PRESIDENT  
RETAIL MERCHANTS OF HAWAII  
August 7, 2019**

**Re: BILL 40 (2019) RELATING TO PLASTICS**

Good morning Chair Anderson and members of the Honolulu City Council. I am Tina Yamaki, President of the Retail Merchants of Hawaii and I appreciate this opportunity to testify.

The Retail Merchants of Hawaii (RMH) is a statewide not-for-profit trade organization is committed to support the retail industry and business in general in Hawaii. The retail industry is one of the largest employers in the state, employing 25% of the labor force.

The Retail Merchants of Hawaii currently OPPOSES Bill 40 (2019) Relating to Plastics. As we have mentioned in the past, Retailers continue to be concerned about our aina and have supported initiatives that preserve and protect our environment.

We feel that this type of legislation is premature and we should wait to see the outcome of the Legislative Task Force that was a result of SB522 SD2 HD2 CD1. This task force encompasses government, business and environmental representation that are tasked with making recommendations to reuse, reduce, recycle, and recover plastic waste.

Again mahalo for this opportunity to testify.

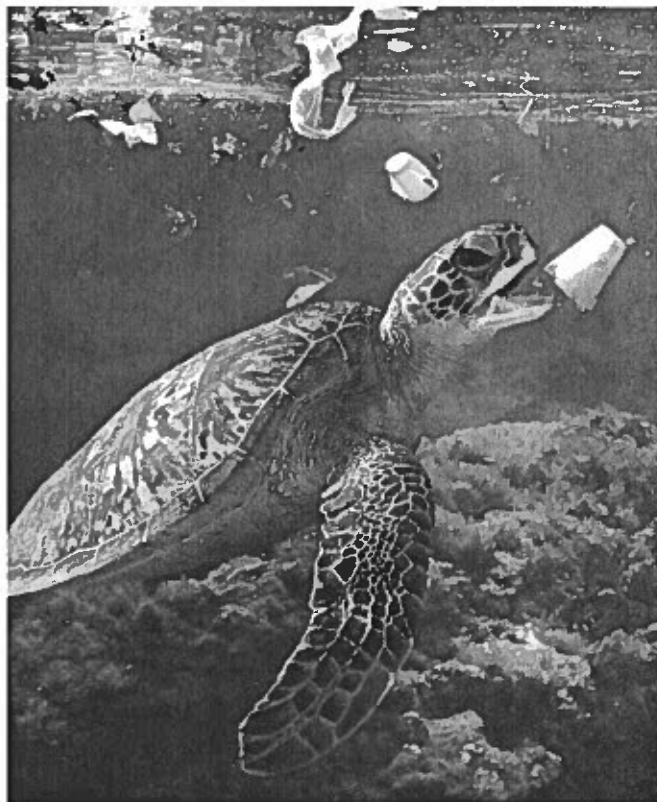
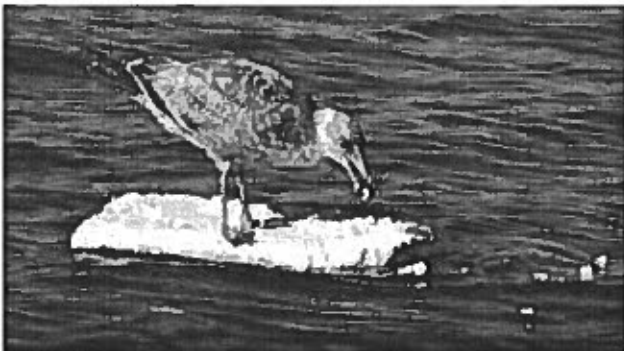
Denise Boisvert  
225 Kaiulani Ave #1604  
Honolulu, HI 96815

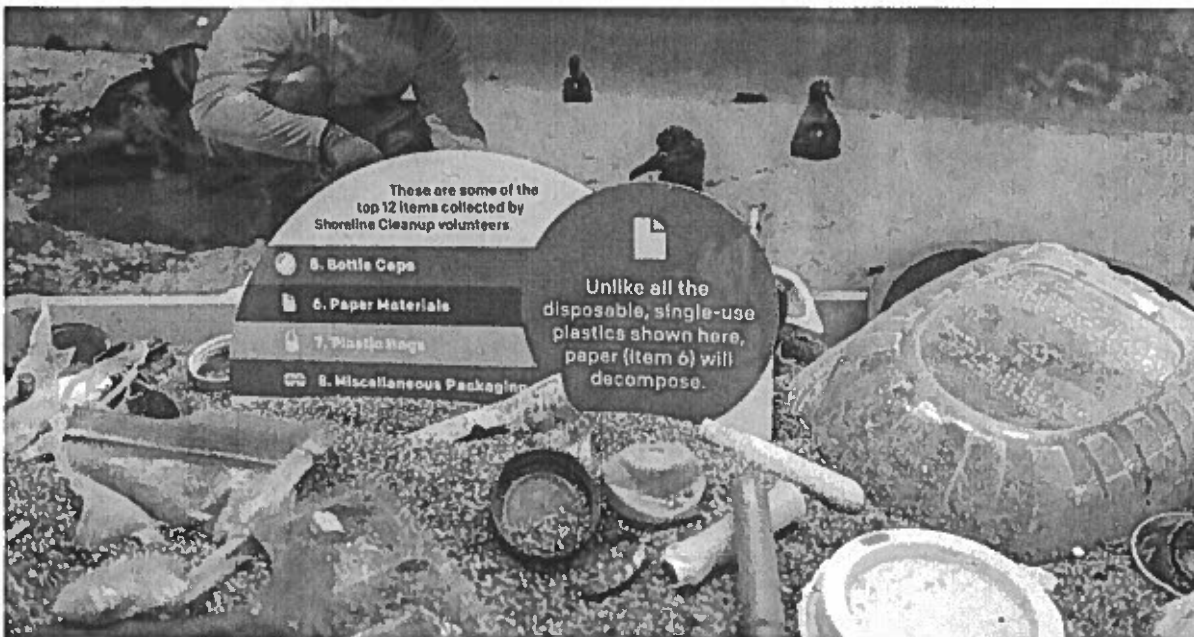
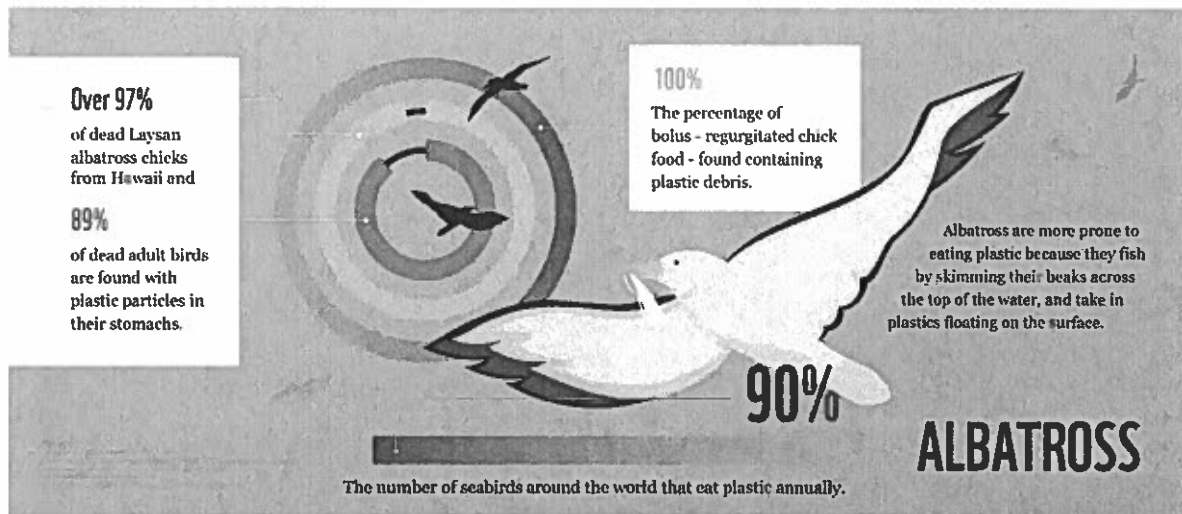
August 5, 2019

Re: Bill 40 (2019)

Dear Honolulu City Council:

There are many reasons why I strongly support Bill 40. Here are a few of them:





I hope you will support this bill as well. I am still grateful to Councilmember Pine for her attempt with Bill 71 in 2017.

My husband and I take long walks each morning or evening and constantly stop to pick up polystyrene and plastic litter. We support sustainable restaurants. We bring thermoses with water and reusable bamboo utensils everywhere we go. These are easy habits to pick up, but to truly make an impact on the environment we need the City Council's help.

Thank you for your kind consideration.

Sincerely,  
Denise Boisvert  
Waikiki

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Testimony of Sylvia Hussey, Ed.D  
Ka Pouhana Kūikawā, Interim Chief Executive Officer

Honolulu City Council  
Bill 40  
RELATING TO PLASTIC.

August 7, 2019

10:00 a.m.

City Council Chamber

The Administration of the Office of Hawaiian Affairs (OHA) **SUPPORTS** Bill 40, which would further limit the distribution of single-use plastic bags and service ware, thereby reducing the impacts of plastic waste on our native wildlife, marine and coastal resources, and associated Native Hawaiian traditional and customary practices.

Single-use plastics, such as plastic bags and cutlery, have a well-established impact on native species of cultural significance, including endangered as well as subsistence resource species. For example, in Hawaiian waters, the ingestion of discarded plastic debris by native seabirds, such as mōlī, as well as by endangered honu, is a well-documented phenomenon that may have highly injurious or even fatal consequences. Notably, such species hold special significance in Hawaiian culture and traditions: the cultural importance of seabirds includes their role in navigation, meteorology, craftwork, and in their spiritual symbolic significance; likewise, honu are also featured in numerous mo'olelo, hula, ki'i pōhaku, and other art forms, and were traditionally raised and harvested for food, medicinal, and other purposes. Such plastic debris may also be ingested by other marine fauna, and its bioaccumulation through the food web may adversely affect numerous other native and culturally significant marine species. **Therefore, reducing or eliminating the amount of disposable single-use plastics in Hawai'i may help to mitigate the impact of plastics on our islands' native and endangered marine species.**

OHA further notes that plastic waste may also threaten the perpetuation of Native Hawaiian cultural and subsistence practices. For example, the toxins contained in discarded plastic, including those found in plastic itself as well as toxins readily absorbed by plastic material, may bioaccumulate in the marine food web, discouraging cultural and subsistence practitioners from the practice of gathering and consuming marine resources. The presence of plastic fragments or microplastics in our nearshore waters may also discourage the traditional gathering and consumption of pa'akai and other non-living resources. In addition, the harm caused to endangered and native species may foreclose the future use of such species in Native Hawaiian traditional and customary practices, which depend upon the availability of healthy and abundant natural resources. Finally,

the presence of discarded plastics may compromise the cultural and spiritual integrity of the marine and coastal environment, upon which Native Hawaiian subsistence practices and ways of life are inextricably tied.<sup>1</sup> **Accordingly, reducing the use and inevitable accumulation of single-use plastics into our marine environment may also represent a small but important step towards the perpetuation of Native Hawaiian culture.**

Finally, while OHA understands and appreciates that economic concerns may be raised by some, OHA believes it may also be important to consider the economic benefits that would result from the expanded prohibition on the single-use plastic products proposed by this measure. For example, a reduction of plastic waste on our beaches and in our coastal waters will only enhance visitor experience and thereby economic activity in the islands. The outward commitment by our government to prioritize and be responsive to the needs of Hawai'i's marine ecology would also be favorable to Hawai'i's image as an attractive and environmentally conscious visitor destination. Single-use plastic restrictions would further enhance the market for locally produced, environmentally friendly alternatives to these products, injecting life into nascent sectors of our local economy and encouraging local, environmentally conscious entrepreneurship. Finally, the reduction of single-use plastic products' impacts on our marine and coastal environment, as well as on human health, may result in significant avoided economic costs associated with such impacts. OHA therefore urges the Council to consider the significant economic benefits of further restricting single-use plastics in any weighing of the marginally increased costs of using alternative products, if they are even necessary.

Therefore, OHA urges the Council to **PASS** Bill 40. Mahalo nui for the opportunity to testify on this measure.

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<sup>1</sup> In Native Hawaiian understanding the spatial bounds of 'āina and moana are viewed holistically and maintain powerful and epistemological connections to Hawaiian ancestry and resilience; in one salient example, hāko'ako'a, coral reefs, are prayed for and spoken of in the kumulipo, the Hawaiian creation chant.